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PTO/SB/08 (09-06)

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Substitute for form 1449/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			<b>Application Number</b>	10/783,995
			<b>Filing Date</b>	2/20/2004
			<b>First Named Inventor</b>	Robert S. Whitehouse
			<b>Art Unit</b>	1796
			<b>Examiner Name</b>	Vickey Marie Nerangis
Date Submitted: January 13, 2010 (use as many sheets as necessary)			<b>Attorney Docket Number</b>	098104-0122
Sheet	1	of	2	

## U.S. PATENT DOCUMENTS

Examiner or Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US 2002/0058316	05-16-2002	Horowitz	
		US 2002/0156128	10-24-2002	Williams et al.	
		US 4,562,245	12-31-1985	Stageman et al.	
		US 4,968,611	11-06-1990	Traussnig et al.	
		US 5,213,976	05-25-1993	Blauhut et al.	
		US 5,536,419	07-16-1996	Escalona et al.	
		US 5,821,299	10-13-1998	Noda	
		US 5,894,062	04-13-1999	Liddell	
		US 5,942,597	08-24-1999	Noda et al.	
		US 5,942,597	08-24-1999	Noda et al.	
		US 6,043,063	03-28-2000	Kurdikar et al.	
		US 6,083,729	07-04-2000	Martin et al.	
		US 6,087,471	07-11-2000	Kurdikar et al.	
		US 6,340,580	01-22-2002	Horowitz	
		US 6,709,848	03-23-2004	Martin et al.	
		US 7,252,980	08-07-2007	Walsem et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		BR PI 9302312-0 (English abstract provided)	07-02-1995	Sugar Cane, Sugar, and Alcohol Production Cooperative of the State of Sao Paulo Ltd		
		CA 2,234,965	05-01-1997	Metabolix, Inc.		
		WO 98/46782	10-22-1998	Monsanto Company		
		WO 01/68890	09-20-2001	Monsanto Technology LLC		

## NON PATENT LITERATURE DOCUMENTS

Examiner Signature	/Vickey Nerangis/	Date Considered	01/19/2010
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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
		Office Action for Canadian Patent Application No. 2,494,922 dated October 15, 2009.	
		English translation of Official Office Action issued in Japanese Patent Application No. 2004-526138 mailed June 11, 2009.	
		Notice of Allowance issued in U.S. Patent Application No. 11/772,574 mailed December 23, 2009.	
		Non final Office Action issued in U.S. Patent Application No. 11/772,574 mailed June 12, 2009.	
		Not published documents.	

Examiner Signature	/Vickey Nerangis/	Date Considered	01/19/2010
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